IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 665 of 2005
In
Notice of Motion No. 697 of 2002
In
Suit No. 56 of 2001
In
Petition No. 689 of 2001

Mrs. Phyllis Fernandes & Ors. .. Appellants
V/s.
Prashant Apankar & Anr. .. Respondents

Mr. Owen Menezes i/b. Mr. I.S. Meewan for the Appellants
Mr. A. Bookwalla i/b. M/s. Ranjit & Co. for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 05.09.2005.

P.C.:-

1. Heard the learned counsel for the Appellants and the Respondents. By this Appeal, the Appellant is seeking to challenge the order dated 23.6.2005 passed by the learned Single Judge in a Petition for Letters of Administration. There is no dispute that the deceased had invested a sum of Rs. 33,00,000/- in joint name alongwith the Appellant in ICICI bond. By the aforesaid interim order, the learned Single Judge has directed the Appellant to deposit the said sum of Rs. 33,00,000/- with the accrued interest with the Prothonotary and Senior Master, who has been directed to invest the said sum in a nationalised bank in a fixed deposit.

2. Under these circumstances, we do not find anything illegal or perverse in the said order, since the order seeks only to protect the interest of all the parties pending the final decision of the proceedings. We do not find any merit in the above Appeal, Appeal stands dismissed.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)